



*** TX REPORT ***

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FAX COVER SHEET

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DATE:	December 28, 2004	TOTAL # OF PAGES: (INCLUDING THIS COVER SHEET)	5
TO:	Examiner Ali Abdelwahed	FAX #:	1-571-273-4417 or 1-571-273-0047
FIRM NAME:	U.S. Patent and Trademark Office	PHONE #:	1-571-272-4417
<hr/>			
FROM:	Sean D. Solberg	FAX #:	(612) 340-2868
PHONE #:	(612) 340-7862	EMAIL:	Solberg.sean@dorsey.com

COMMENTS:

Attached please find:

Information Disclosure Statement Under 37 CFR § 1.97(d) and (c)(2) – 2 pages
PTO/SB/08A – 1 page
Fee Transmittal Sheet – 1 page

First Named Inventor: James R. Hornsby
Serial No.: 10/751,351
Filed: January 5, 2004
Client Name: JaKKS Pacific
Client Number: 470612-3
Attorney/LA Initials: SDS:smn
Faxed: 28 December 2004



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ORIGINAL WILL BE SENT VIA: ☐ MAIL ☐ E-MAIL ☐ MESSENGER ☐ AIR COURIER ☒ WILL NOT BE SENT

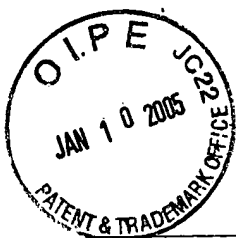
PLEASE CONTACT BARB A. AVERY AT (612) 492-6859 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

REFERENCE # 4902-470612-3

DORSEY & WHITNEY LLP · WWW.DORSEY.COM · T 612.340.2600 · F 612.340.2868
SUITE 1500 · 50 SOUTH SIXTH STREET · MINNEAPOLIS, MINNESOTA 55402-1498

USA CANADA EUROPE ASIA

4820-6863-0784\1 12/28/2004 11:30 AM



Docket: 6677.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	James R. Hornsby		
Appln. No.:	10/751,351		
Filed:	January 5, 2004	Examiner:	A.F. Abdelwahad
		Group Art	
Title:	AMUSEMENT DEVICE	Unit:	3712

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97(d) and (e)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.97(d), the references listed on the attached Form PTO/SB/08A (1 sheet, submitted in duplicate) are brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. This Information Disclosure Statement ("IDS") is filed after receipt of a final office action or notice of allowance and on or before payment of the issue fee, and it is accompanied by the fee set forth in 37 CFR § 1.17(p). Applicant would greatly appreciate having the initialed PTO/SB/08A form be returned via facsimile to (612) 340-8856 in order that the issue fee may be timely paid.

Copies of the references cited are not enclosed, as allowed under 37 CFR § 1.98(d). Each item on the enclosed Form PTO/SB/08A was cited to, or cited by, the Office in one or more of the following prior related cases, to which priority to an earlier effective filing date is claimed under 35 U.S.C. § 120, in the present application.

09/777,144 filed 2/5/01 now U.S. Patent No. 6,672,934


Payment of Fee Under 37 CFR § 1.17(p)

The Commissioner is authorized to charge the \$180.00 fee under 37 CFR § 1.17(p), required for submission of an IDS under 37 CFR § 1.97(d), to deposit account number 04-1420, as referenced in the attached Fee Transmittal Sheet.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: December 28, 2004

By: 
Sean D. Solberg (Reg. No. 48,653)
Intellectual Property Department
Suite 1500, 50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-7862



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/751,351
Filing Date	January 5, 2004
First Named Inventor	James R. Hornsby
Art Unit	3712
Examiner Name	A. Abdelwahad

Sheet	1	of	1	Attorney Docket Number	6677.02
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U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,820,232	4/1989	Takahashi et al.	
		US- 5,141,464	8/1992	Stern et al.	
		US- 5,297,981	3/1994	Maxim et al.	
		US- 5,439,408	8/1995	Wilkinson	
		US- 5,676,582	10/1997	Lin	
		US- 5,765,508	6/1998	Markowitz	
		US- 6,220,921	4/2001	Kim	
		US- 6,273,782	8/2001	Chan et al.	
		US- 6,672,934	1/2004	Hornsby et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)				YES	NO
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
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							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Effective on 12/08/04

**FEE TRANSMITTAL SHEET
(FY 2005)****Complete if Known**

Application No.	10/751,351
Filing Date	January 5, 2004
First Inventor	James R. Hornsby
Group Art Unit	3712
Examiner Name	A. Abdelwahad
Atty. Docket Number	6677.02

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)**METHOD OF PAYMENT (Check One)**☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account No.: 04-1420Deposit Account Name: **DORSEY & WHITNEY LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17☐ Credit any overpayments☐ Other (please identify):**Extra Claim Fees**

Current Claims	Prior	Extra	Fee	Fee Paid
Total	- 20	=	x \$	= \$
Ind.	- 3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$
Subtotal (Extra Claims)				\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**

§ 1.53(e) to accord a filing date.
§ 1.57(a) to accord a filing date.
§ 1.182 for decision on a question not provided for.
§ 1.183 to suspend the rules.
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
§ 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**

§ 1.12 for access to an assignment record.
§ 1.14 for access to an application.
§ 1.47 for filing by other than all inventors or person not the inventor.
§ 1.59 for expungement of information.
§ 1.103(a) to suspend action in an application.
§ 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
§ 1.295 for review of refusal to publish a statutory invention registration.
§ 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
§ 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
§ 5.12 for expedited handling of foreign filing license.
§ 5.15 for changing the scope of a license.
§ 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**

§ 1.19(g) to request documents in a form other than provided in this part.
§ 1.84 for accepting color drawings or photographs.
§ 1.91 for entry of a model or exhibit.
§ 1.102(d) to make an application special.
§ 1.138(c) to expressly abandon an application to avoid publication.
§ 1.313 to withdraw an application from issue.
§ 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)**3. ADDITIONAL FEES**

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	\$180.00
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE
(specify)**Subtotal (Additional Fees) \$180.00****Total Amount of Payment: \$180.00**

Submitted by:

CUSTOMER NUMBER
25763

DORSEY & WHITNEY LLP

Name: **Sean D. Solberg**Phone No.: **(612) 340-7862**Fax No.: **(612) 340-8856**

Signature:

Reg. No.: **48,653**Date: **December 28, 2004**